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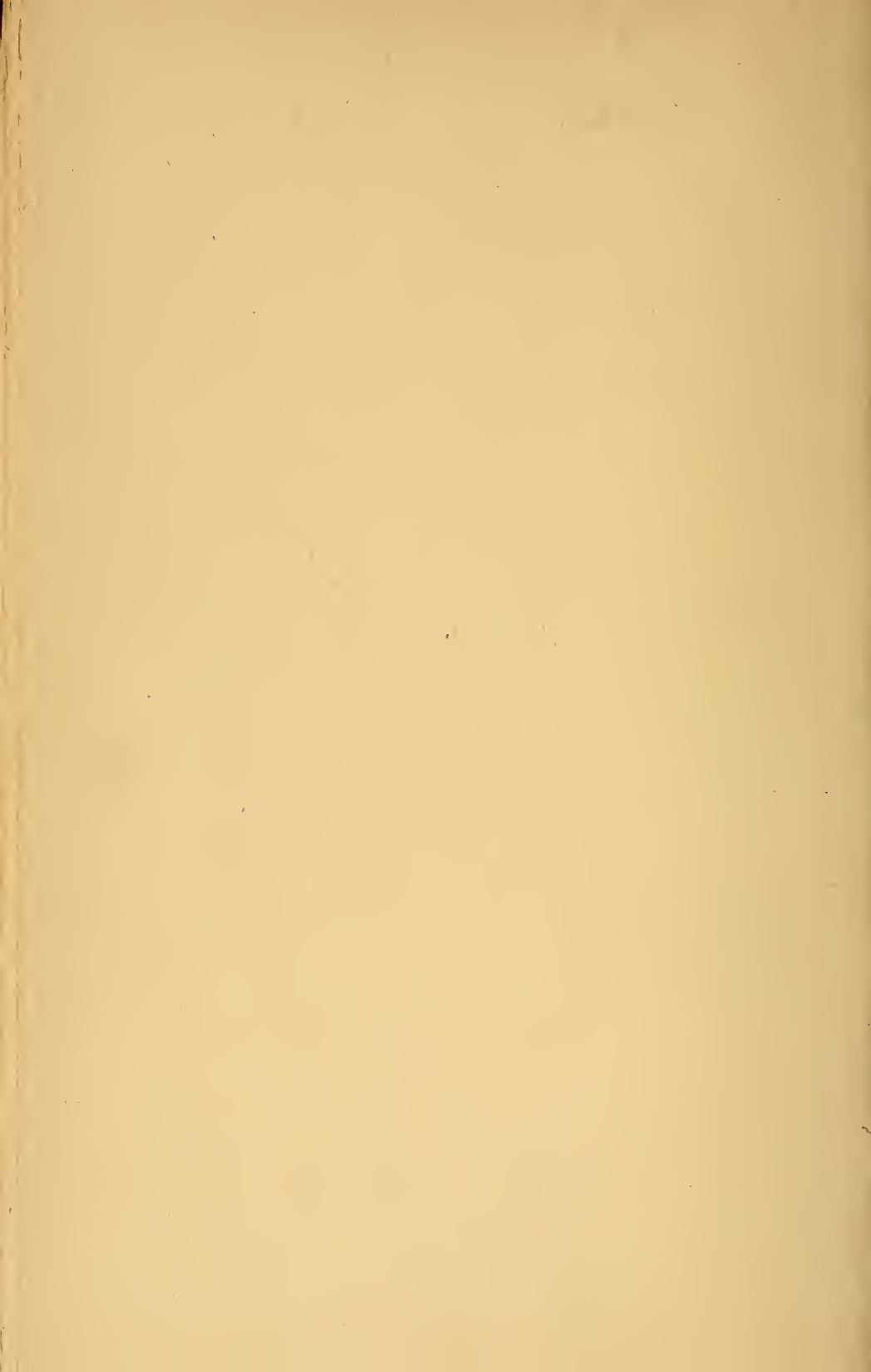
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Letter to Aaron Burr,

VICE-PRESIDENT
OF THE UNITED STATES OF AMERICA,

ON THE

BARBAROUS ORIGIN, THE CRIMINAL NATURE
AND THE BANEFUL EFFECTS OF DUELS;

OCCASIONED BY HIS LATE FATAL INTERVIEW

WITH THE DECEASED AND MUCH LAMENTED

General Alexander Hamilton.

—❁—
BY PHILANTHROPOS.
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NE OCCIDAS.

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To.
Feb. 5, 1920.
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Letter to Aaron Burr.

SIR,

MELANCHOLY is the occasion on which I address you. The late fatal interview between the unfortunate general Hamilton and you, has excited the most painful emotions in the breast of every patriotic citizen, from the northern boundary of New Hampshire to the southern extremity of Georgia; and will long continue to be remembered with the deepest regret. Never, except on the death of the illustrious hero of the revolutionary war, were such universal lamentations heard in the American states.

To appreciate the worth, to pay the tribute of gratitude due to the memory, of the deceased; or, in short, to panegyrisé the great man that has fallen in our Israel, is not my present design. On this part of the subject I am happily prevented. To his distinguished merit a degree of justice has been done from the one end of united America to the other, by persons who had better opportunities of knowing his worth than I can pretend.

With the deceased and with you I ever have been equally unconnected. Of prepossession for the one, or of prejudice against the other, I do not consider myself liable to the suspicion. The giver of the challenge was, in a high degree, guilty; and the acceptor was not innocent. But you know the old adage, Nil de mortuis nisi bonum.

From motives the most benevolent; with views the most salutary to you, I have taken the pen in my hand. Sincerely can I apply to you the words of an apostle concerning his beloved countrymen, and say, *My heart's desire, my prayer to God for you, is, that*

you may be speedily humbled, and eventually *saved*. Aggravated, indeed, is the guilt you have contracted; dreadful is the punishment you have incurred. But to you, and to all mankind, it is a pleasing reflection, that greater still is the merit of the all-atoning blood of Jesus, the son of God, and the saviour of men.

Often have I imagined myself in your unhappy situation; the reality of which heaven forbid! What my feelings, in those fanciful moments, are, it is far easier for you to conceive than for me to express. Taught by experience I know, that it is impossible for me infallibly to say, how I would feel or act in any situation till I be in it. But, methinks, in your miserable condition, I should be of all men on earth the most wretched; life to me would be insupportable; and I could hardly forbear to adopt the desponding language of the great and good man in the land of Uz—*Let the day perish wherein I was born, and the night in which it was said, There is a man-child conceived.*

To a person of your reading, an investigation of the origin, a definition of the nature, and a review of the history of duels, must be, in a great measure, unnecessary. Whence, I ask, originates the practice of duelling? From what quarter does it come? *Is it from heaven, or is it of men?* Does its origin attach any kind, or degree, of respectability to it? Does it afford any proof of its lawfulness? Does the duellist risk his life, and his all; his all in this world, and his all in that which is to come? How necessary, in an enterprize attended with such immense hazard, is the sanction of heaven! Did you, Sir, when you sent the mortal challenge, and repaired to the fatal spot, advert to this solemn consideration? Do you now, after cool recollection, think, you acted under the auspices, and with the approbation of that great Being, at whose awful bar each of us must stand, and from whom we are to receive a sentence, either of acquittal or of con-

demnation, from which there can be no appeal? I do not wish unnecessarily to wound your feelings; but I must be plain. The subject is truly serious, and requires great plainness. Your eternal all is at stake. Permit the secret monitor in your own breast to speak. The sanguinary practice of duelling never had, and never can, consistently with that law, which is the unerring rule of moral conduct, the infallible criterion of right and wrong, good and evil, have the sanction of heaven. Never till the laws of heaven be repealed, and the foundations of civil government be subverted, can it be lawful. Can the law of moral rectitude be rescinded? Can the essential distinction between virtue and vice be extinguished? It is impossible. Sooner may heaven and earth pass away.

Are you solicitous to find an excuse for your conduct; and, if possible, to justify it? Have you tortured your invention to find a warrant for it? Vain search! Do you seek for it in the sacred books? To search the scriptures, Jewish and christian, is, at once, your duty and your interest. In the sacred history repeated instances of assassination occur. But are they recorded for our imitation? No, but for cautions and warnings to us. Only one approved example occurs, that seems to possess the formalities of a duel, or single combat. You must immediately perceive that I refer to the affair of the champion of the Philistines, and the young son of Jesse. Here seems to be an interchange of challenge and acceptance. But was this, in the modern sense of the term, a duel? Was life risked to adjust a petty difference or private quarrel, between two individuals? No. That this case, in its occasion, concomitant circumstances, and design, was *extraordinary*, no candid person will deny. That, in accepting the insolent and impious challenge, by which the audacious Philistine defied Israel, and, which was infinitely more, the God of Israel, and in the subsequent victory which he obtained, the

young Hebrew was, by an extraordinary divine impulse, guided and strengthened in a manner not to be expected in our times, cannot, with any unprejudiced person, admit of a doubt. Never does the Deity any thing in vain. For the most important and salutary purposes was this extraordinary interposition of heaven granted. The honour of the God of Israel, the preservation of that chosen race, and the prevention of the shedding of precious blood, all concurred to require it. Does that inspired volume, which is admitted as the infallible standard of our belief, and of our conduct, furnish no warrant for duelling? Does it strenuously remonstrate against the murderous practice? Where shall we find a warrant for it? Does reason give its suffrage in favour of the custom? No. Reason, no less than revelation, remonstrates against it. Without authority from heaven or earth, repugnant to the laws of God and man, it militates against every principle of religion, of reason, of humanity, and of sound policy. Every social virtue, every tender feeling, forbids it.

Who can now forbear to repeat the question, Whence has a practice, so odious to God, and to all good men, originated? From a review of the history of former ages, it appears, that this shocking practice had its rise in times and places, in which it was customary to settle all great differences, and decide all public controversies, by arms. This was the case, during the ages of Gothic ignorance, barbarism, and superstition, in the northern countries of Europe. But, even in those times, barbarous and superstitious as they were, no such duels, as are customary among us, were allowed. Different, in various respects, were their duels from ours. They were not permitted in the case of personal animosities, or private disputes. They were, by law, authorized for the determination of public causes; which could not be decided by witnesses. The custom prevailed so far,

that persons of every description were, by authority of law, *obliged* to submit to it. Women, sick persons, cripples, and such as were under twenty-one years of age, or above sixty, were, however, exempted. Persons of the sacred order, who could not consistently with the nature of their function, take the field in their own persons, were obliged to find champions to fight in their stead. Thus single combat for the decision of public causes had, in those times, the sanction of law. Easy is it to account for such laws, and such usages, in the ages of barbarism and superstition. It was then a prevailing opinion, that, if a capital crime was committed, and the case did not admit of proof by witnesses, the Deity would, in the event of referring it, for decision, to a duel, infallibly interpose for the detection and punishment of the accused person, if guilty, and for the vindication and deliverance of the innocent. Such sentiments were calculated for the meridian of barbarous and superstitious times. But shall we, in this enlightened age, borrow maxims of life and rules of conduct from such times and such customs? Single combat for compromising personal differences or private disputes, never, even in the ages of Gothic ignorance, barbarity, and superstition, had the sanction of law. Such duels as are, to the great reproach of religion and humanity, frequent among us, the law did not, even in those rude ages, permit. Considered as a solemn appeal to the omniscience and the justice of the Deity, duels were admitted, as I said, only in public and doubtful cases; and they were ever undertaken by the authority of the civil magistrate, and conducted in a judicial form.

This mode of determining public controversies, afterwards underwent several salutary regulations and restrictions. It was, by law, confined to capital crimes; it required a certain proof that the crime had been perpetrated; it admitted the combat only

when the accused person was, by common fame, supposed to be guilty; and when the case did not admit of proof by witnesses. This sanguinary law has long ago been abolished; and its barbarous effects discontinued. But have duels ceased? Has the nefarious practice been consigned to everlasting infamy; and buried forever in oblivion? No, no. A species of duelling, unauthorised and unknown in Gothic ages, and barbarous times, has become prevalent, and been productive of the most fatal consequences. Accustomed, for a series of ages, to the decision of causes of public concern, and of a doubtful nature, by arms, men began to extend the unhappy custom to personal disputes, and private offences. The melancholy consequence was, duels, which could not, in former times, be fought, but by the appointment of the civil magistrate, were undertaken without the interposition of his authority, and in cases to which the laws did not extend. Upon every affront and offence, how nugatory and trifling soever, it might be, a gentleman considered himself entitled to draw his sword, or present his pistol; and call on his antagonist to make reparation. Such ideas, entertained by men of high spirit, fierce courage, and rude manners, could not fail to produce the most melancholy consequences. Offence was often taken; and revenge was always prompt. Human blood ran in torrents. Thousands of useful lives were lost.

This murderous practice, which has had such a general spread in christendom; both in the eastern hemisphere and the western, took its rise, or, at least, assumed, in the public opinion, a degree of respectability, which otherwise it, probably, never would have acquired, from a circumstance that occurred in the sixteenth century; the famous challenge, which Francis I. sent, Anno 1527, to Charles V. This was occasioned by the breaking up of a treaty between these two powerful monarchs. Charles desired Fran-

cis's herald to acquaint his sovereign, that he would henceforth consider him not only as a base violater of public faith, but as a stranger to the honour and integrity of a gentleman. Francis, too high-spirited to bear such an imputation, had recourse to this extraordinary expedient to vindicate his character. He instantly sent back the herald with a cartel of defiance, in which he gave the emperor the lie in form, and challenged him to single combat; requiring him to name the time and place of meeting, and the weapons with which he chose to fight. Charles, who was not inferior to his rival in spirit and bravery, readily accepted the challenge. But this duel never was fought. After several messages relative to the circumstances of the combat, accompanied with mutual reproaches bordering on the most indecent scurrility, all thoughts of the duel were prudently laid aside.

The example of two monarchs, the most powerful then in the world, drew, as might have been expected, general attention, and had no small influence on the subsequent manners of the several nations of Europe. Duels, which, in former times, were allowed only in public causes, according to the prescription of law, and conducted in a judicial manner; afterwards were fought, almost every day, without any acknowledgment of the civil judge, and attended with the most fatal effects. Nay, to such an extent did these contests of honour prevail, that they were, at certain periods, almost as destructive to the human species as war itself. Powerful, indeed, is the dominion of fashion! Neither the terror of penal laws, nor reverence for religion, nor the fear of a future state; nor all these together, have yet been able to abolish a practice, which, as it is now conducted, seems to have been unknown among the ancients; and which cannot be justified by any principle of reason or religion.

Were an inhabitant of another orb to visit our

world, and to be informed concerning the nature, and the effects of duels, one of the first questions that would occur to him is this—Among what descriptions of men is such a practice to be found? Could we, without a blush, answer his question? The fact, however, cannot be either concealed or dissembled. Gentlemen of rank and fashion, of refined taste and polished manners, incredible to tell! are, to their eternal disgrace, concerned in the infamous practice. A gentleman a duellist! is not every duellist a bully? Pray, what is the difference between the duellist and the bully? Are you, sir, startled at the question? Reflect calmly, think seriously, for a moment, and your surprize will cease. What constitutes the character of the bully? Is it not an assemblage of irrationality, impetuosity, and barbarity? When you meet a fellow, whether dressed in satin or sackcloth, is immaterial, menacing and braving every man that comes in his way, to fight, that is, to kill him, or be killed by him, what opinion of him do you entertain? Is he not, in your estimation, an impetuous bully, a turbulent ruffian, destitute of sensibility and honour, and every sentiment of humanity and generosity? Does his disregard of life, recommend him to you? Does it constitute him, in your account, a man of exemplary courage and bravery? To yourself I submit, whether to set such a low value on life, bespeaks the bravery of the gentleman, or of the bully. The assertion, *all that a man hath, will he give for his life*, is a truth of such incontrovertable notoriety, that angels, men, and devils, all unitedly assent to it. Do not you assent to it? Doubtless you do. But when you sent the fatal challenge to your unfortunate rival, did you not act in a manner utterly incompatible with it? Did you not set yourself, in disregard for life, on a level with the bully? What is a challenge to fight a duel? Is it not, in plain terms, a challenge to kill, or be killed?

What necessity is there, or can there be, for giving, or accepting a challenge to fight a duel? What insult, what injury, what grievance is it, for the redress of which, other means are not provided? Provided by the united authority of heaven and earth; the laws of God and of man? What is it, that a man can lose, for the recovery of which he is justified in risking his life? What can be to him an adequate compensation, a sufficient equivalent, for the loss of his life? Is the giving of a challenge to fight a duel, or the acceptance of it, a decisive proof of courage? Is a refusal to give, or to receive a challenge an infallible evidence of cowardice? Do you answer in the affirmative? Recollect a little. What mistaken ideas of honour do men, and intelligent men, entertain! Did not Anthony send a challenge to Cæsar to meet and fight him? Did Cæsar accept the challenge, and fight Anthony? You cannot but know, he did not. He, on the contrary, desired the bearer of the message to tell Anthony, *that, if he was weary of life, there were other ways to death, besides the point of his sword.* Was Cæsar a coward? Has his refusal to fight Anthony, ever been, in any age, or in any country, accounted an instance of cowardice? No. All ages have admired it as the act of a discreet and gallant man, who was conscious of the importance of his life; and knew how to treat, with deserved contempt, the humour of a petulant and revengeful antagonist.—Would to God, your deceased combatant, whose life and services were so valuable to his family, and to his country, had, in time, adverted to this important consideration!

From spurious notions, false ideas of honour, a long train of the most unhappy consequences have followed. If a gentleman, a christian, from religious objections, conscientious scruples, declines to draw his sword, or present his pistol, that is, to fight a duel; must his honour be fullied, his reputation tar-

nished. His honour sullied, his reputation tarnished, because he refuses to kill, or to be killed! Among whom is his character injured? Among the judicious and worthy part of mankind? No; but as a learned, pious, and elegant writer speaks, "among a few rash and precipitate creatures; the pupils of La Mancha's knight; the sons of chimera and cruelty: whose applause is infamy, and their detraction the highest praise they can bestow." Do the inconsiderate rabble praise, or do they dispraise? Is the man, the gentleman, the christian, in the former case, elated; in the latter, mortified? No; their injudicious commendations, and their unjust censures, he holds in equal contempt. That men of good education, great talents, and high professional merit, should forget their duty and their dignity so far as to descend to a level with beings, who, in external form, are human; but, in their temper and conduct, seem rather to be cannibals, I had almost said tygers; is to me matter of equal astonishment and regret. To decline a duel may be among the inconsiderate disgraceful; but among the discreet and wise it is truly honourable. The reason is manifest. Every duel, whatever name of honour it may assume, is of a murderous nature. Is not this the verdict of our ablest casuists, divines and lawyers? Is not this a sentiment, in which all good men, of every country, concur? In every duel must there not be, if not the loss, the risk, of life; a life, probably, useful to society, a blessing to numerous relatives, and intimately connected with a blissful or a miserable immortality? Serious consideration!

You have now, sir, had time for deliberate and cool reflection. Permit me to ask, How do you feel on the recollection of the late tragical scene? Has not your imagination often painted, in colours which I am not able to describe, the various circumstances of the horrid catastrophe? Has not the image of the

deceased, as an unwelcome guest, often intruded into your company? Does it not haunt you in your most retired hours, and solitary moments; occasioning to you impressions and forebodings, which you cannot express? Have not the enjoyments and amusements of life, become to you, in great part, insipid? Nay, are you not weary of life? How any man, that has, in a murderous manner, taken the life of another, can enjoy his own, is to me an inexplicable paradox. Self-condemned and self-tormented must the murderer ever be. Do you not, in your gloomy moments, sometimes adopt the complaint—*Wherefore is light given to him that is in misery, and life unto the bitter in soul; who long for death, but it cometh not; and dig for it more than for hid treasure?* Is not the deceased, in your account, happy, and his surviving adversary, I had almost said assassin, miserable? Do you not adopt the words of the divine moralist—*I praised the dead, who are already dead more than the living, who are yet alive?* Awfully solemn is the subject, to a critical scrutiny, a serious investigation of which you are now called. At the dread tribunal of the great God your conduct has already been arraigned and condemned. The execution of the tremendous sentence is suspended for a time; but the time is short, and, to you, uncertain. All depends on the pleasure of the sovereign judge. In what manner, and for what purposes, the criminal ought to employ his few remaining, and fleeting moments, I need not tell you. In the words of the royal preacher I now address you—*If thou be wise, thou shalt be wise for thyself; but if thou scornest, thou alone shalt bear it.*

You have been, sir, by a very respectable jury of your fellow citizens, after a most deliberate, candid, and solemn investigation of your case, in its various circumstances, found *guilty of the murder of general Alexander Hamilton*. Horrid crime! Dreadful is your situation. Your crime, as it appears in foro humano,

I leave to the wisdom and the justice of those, whom providence has invested with authority to take cognizance of such enormities, and to punish them. I consider it as it stands in foro divino. In order to impress you with the turpitude of it; and its consequent baneful effects, permit me to remind you of your certain and speedy appearance at the august tribunal of almighty God; and to solicit your most serious attention to the following considerations.

Have you not, in the most criminal and presumptuous manner, usurped the power, and arrogated to yourself the prerogatives of Deity? When you sent the fatal challenge to your antagonist to meet and fight you, did you not, in effect, summon him to kill you, or be killed by you? Did not the summons imply your right to surrender your own life, and demand his, at pleasure? Did you, in fact, possess a right either to give your own life, or to take his? No, sir, a power to give life, and to take it away, the most high God has reserved to himself. He alone is entitled to say, *I kill, and I make alive*. And, therefore, if you take away your own life, or the life of another man, you usurp the throne; you arrogate the distinguishing privilege of the Lord of heaven and earth. You claim, in this case, a power, which he has not communicated to any creature. One man only ever has appeared in our world, who had authority to dispose of his own life, or the life of others. He could say, *I have power to lay down my life, and I have power to take it again*. He, indeed, was man; but he no less truly was God; and, therefore, had unlimited power, uncontrollable authority, to do what he pleased. There are, three cases, in which a man may be called to risk his own life, or to take the life of another—The case of public justice, necessary self-defence, or lawful war. Can you, in excuse for your late criminal and sanguinary act, plead any one of the three? Do you reply, you risked your own

life, you took the life of your adversary, in self-defence? Self-defence! Defence of what? Of your life? No, sir; this plea cannot avail you. The pretext is absurd. Did your antagonist ever threaten your life? Do you really think that he ever had any design against your life? Was your property; or was your character, attacked? Other means of defence and redress were provided. Your antagonist did not call for your life; and you had no right to call for his. To resign your own life, or to require his, you had no authority. He who gave life, and he alone, had a right to recal it. This right you impiously arrogated; this power you presumptuously usurped. Criminal arrogance! Daring usurpation! In the words of a prophet I may ask—*Will a man rob God?*

Have you not, in a manner the most deliberate, unrelenting, and cruel, violated an express precept of that law, which is of the highest authority; and which extends to men of every description, and to all their actions? The sixth commandment is, *Thou shalt not kill*. Concise is this law; but very comprehensive. Few are the words, in which it is conceived; but extensive is its application. Often, and justly, has it been observed, that each of the moral precepts consists of two parts, the one express, and the other implied. Is it conceived in positive terms? It has a negative part, though not express, necessarily implied. Is a particular duty, religious or moral, expressly enjoined? The opposite sin is implicitly prohibited. Is the commandment express in negative terms? It has a positive part implied. Is a particular sin, in express terms, forbidden? The duty, to which that sin is immediately opposed, is, by implication, required. The sixth commandment is one of the negative kind. What does this law expressly forbid? Every species; every degree of murder; every thought, every word, every action, of a murderous nature, or that has a murderous tendency. What does this com-

mandment implicitly require? This question I cannot answer better than in the words of a summary of the doctrines and duties of the Christian religion, which, for conciseness and arrangement, comprehensiveness and perspicuity, is held in the highest estimation by the reformed churches, both in the eastern world and the western. Thus it speaks—*The sixth commandment requireth all lawful endeavours to preserve our own life, and the life of others.* When you sent the deadly challenge, and repaired to the bloody spot; when you risked your own life, and took away the life of your unfortunate antagonist, did you act conformably to this requisition? Did you not, on the contrary, act in the most direct and impious opposition and contrariety to it? Did you not, in the most daring manner, insult the authority, and defy the vengeance of the *one* supreme lawgiver, *who*, as an apostolical writer speaks, *is able to save, and to destroy?* Does heaven, in the most peremptory manner, prohibit murder, and will you, in the most deliberate manner, dare to perpetrate it? Is not murder, every species, every degree of murder, a crime; an atrocious crime? Is it not in every age, earlier and later, and in every country under heaven, accounted a capital crime? Explicit, peremptory, immutable is the ancient law—*Whoso sheddeth man's blood, by man shall his blood be shed. At the hand of every man's brother, saith the Lord, will I require the life of man.* Other crimes pass concealed and unpunished; but how seldom can murder be concealed or pass with impunity? Innocent blood the earth may open her mouth to receive, and, for a time, secrete in a manner that may elude all human search. But when *the Lord* of heaven and earth *cometh out of his place to punish the inhabitants of the earth for their iniquity, the earth shall disclose her blood, and shall no more cover her slain.*

The history of the murder of Abel by his unnatural, inhuman, cruel brother Cain, you doubtless, have

read. Monstrous crime! Heavy the doom of the perpetrator! Hear it from the mouth of the dread judge—*The voice of thy brother's blood cryeth unto me from the ground. And now art thou cursed from the earth, which hath opened her mouth to receive thy brother's blood from thy hand. When thou tillest the ground, it shall not henceforth yield unto thee her strength. A fugitive and a vagabond shalt thou be in the earth.* Hardly can I forbear to add the words of the poet:

Mutato nomine de te
Fabula narratur.

Have you not, sir, by your precipitate, impetuous, sanguinary proceedings, done an irreparable injury to yourself? Have you not mortally wounded your reputation, and essentially injured your interest? Have you not made sad the hearts of your nearest and dearest relatives; your most valuable and best friends? But there is a consideration infinitely more important still; you have egregiously injured your immaterial and immortal part. What saith the personal wisdom of God, the saviour and the judge of the world? *He that sinneth against me, says he, wrongeth his own soul.* Awful declaration! I might have said denunciation. It must be to you a most alarming reflection, that while the Mosaic law allowed sacrifices for the expiation of other crimes; for murder it admitted of no satisfaction, but by the blood of the unhappy person that perpetrated it. To this important discrimination between murder and all other crimes, the penitent writer of the fifty-first Psalm probably refers, when he addresses his offended, but now reconciled maker thus—*Thou desirest not sacrifice, else would I give it.* Is it not as if he had said—Had I committed any other crime, I might have been allowed to expiate it by sacrifices and offerings; and, in this case, no expence of treasure or of blood, should have been wanting; but, most unhappily for me, I have been guilty of a crime of such enormity, that, for the expiation of it,

animal sacrifices are utterly unavailing? The law does not authorise, and, therefore, cannot accept them. What was this inexpressible crime? What was the crime, for the expiation of which, *thousands of rams, and ten thousands of rivers of oil,* were totally inadequate; wholly unavailing? The Hebrew monarch had, not, indeed, with his own hand, but by a bloody mandate to an obsequious servant, murdered one of the most inoffensive, brave, and exemplary officers in his army. Conscious was he of the capital nature of his crime. His life, he knew, he had forfeited. He was self-condemned. The dreadful sentence he had passed against himself. *As the Lord liveth,* said he to Nathan, *the man that hath done this thing, shall surely be put to death.* But the sole supreme law-giver, *who has power to save as well as to destroy;* and who can, in particular cases, and for important purposes, suspend the operations of his own law; had granted a pardon, and by a prophet, sent for the express purpose, intimated it to him. *The Lord hath put away thy sin,* said Nathan to the king, *thou shalt not die.* By an extraordinary interposition of heaven, his forfeited, but most valuable and useful, life was spared. Such immediate interpositions of heaven, such acts of the divine prerogative, are not, in our times, to be expected. If any man, of what name soever, counteract the law, which peremptorily demands *blood for blood,* it must be at his peril. Of that self-enjoyment; that serenity and calm of mind, without which life is unworthy of its name; have you not, in one fatal moment, deprived, forever deprived yourself? Do you not, on a recollection of that most unhappy moment, feel a degree of remorse of conscience, that embitters every thing, which otherwise would be sweet in life? Does not your own mind often upbraid you with greater acrimony and severity than I am either able or willing to use? Does not a secret anguish, unknown to the world, often wring

and torture your very inmost soul? Is not your *punishment* already *greater than you are able to bear*?

What do you think, sir, of the irreparable injury you have done to the once happy, but now wretched, family of your deceased antagonist? Is not their loss irretrievable? The now widowed mother, the now fatherless children, you have wounded in the most tender part; and filled with many sorrows. Cruel deed! To yourself, as a man of sensibility, I appeal. To conjugal attachments, to parental feelings, you cannot be a stranger. Do you not, in imagination, often visit this *house of mourning*? Can you possibly avoid a participation in their sorrows? Their accumulated affliction, their complicated distress, I will not attempt to describe. I have not powers, either of conception or of utterance, equal to the task. On such a subject language is unmeaning; silence is expressive. Let me ask, is any thing you have gained an equivalent for the infinite distress you have caused to an unoffending family? Any thing you have gained, did I say? Have you gained any thing? No, sir, you have lost every thing; and gained nothing. I must remind you, and I entreat you to consider, that, of the widow and of the fatherless, God ever has evinced himself to be the patron and the friend. Injuries done to them, he accounts done to himself; and will infallibly resent them. Be assured, sir, he beholds the affliction, and he hears the groans of the mother, whom you have cruelly made a widow, and of the children, whom, without the shadow of provocation on their part, you have, in the most merciless manner, rendered fatherless. *When he shall make inquiry for blood, he will remember them: He will not forget the cry of the humble.*

Have you not done a most essential, I had almost said irreparable, injury to your country? At a critical period did an all-disposing providence raise the deceased, and furnish him with talents, which enabled

him to perform the most essential and difficult services, in a manner that reflected distinguished honour upon himself, and produced the happiest effects to his country. To eulogize his talents, or recount his services, is foreign to my purpose. His military, political, and professional abilities are extensively known, and universally acknowledged. Was he ever reluctant; was he not, on the contrary, ever ready to step forward, and exert his best abilities in the service, and for the benefit of his country? Did not the inhabitants of his own, and her sister states, on all critical occasions, ever look up to him as their father and their friend? Were they ever disappointed? Did not the retrospect of his past meritorious services naturally suggest the fond hope of a succession of them for a series of years to come? But, horrid to tell! on a sudden, in one inauspicious moment, you blasted all their flattering prospects; you disappointed all their pleasing hopes. Fatal moment, indeed, to united America! The gloom which it has spread, will not be soon dissipated. Generations yet unborn will lament the premature demise of the friend of America; and execrate the hand that deprived her of him. The nation sustains the loss; you bear the guilt. Is not your guilt, your punishment, greater than you can bear? What apology have you to offer to the nation? But, in this case, how unavailing are apologies? The loss is irretrievable. Great are your obligations to the people of the United States. Did they not, by their suffrages, at a very late period, raise you to a station of very distinguished honour as well as profit? Was not your elevation an event as unexpected to yourself as to the nation? Alas, what a change of public opinion; what a reverse of fortune have you incurred! Spontaneously advanced; but now universally execrated! Can you blame the people? Is there not a cause? Have you not, with circumstances of aggravated barbarity, deprived them of one of their brightest ornaments and most valuable friends?

Have you not done a great indignity to the high office, to which the suffrages of your fellow citizens, under the auspices of providence, had advanced you? Honourable is the station you were chosen to fill. Civil magistracy, in its various departments and degrees, is of a heavenly original; and is intended to subserve the most valuable purposes. *Let every soul be subject unto the higher powers*, says the eminent apostle of the Gentiles; *for*, adds he, *there is no power but of God: The powers that be are of God*. Without order and subordination, mankind cannot, in a state of society, subsist; our world would be one universal scene of anarchy, disorder, and blood. Is the advancement of persons to stations of civil authority and power, the effect of mere accident or blind chance? No. Never can it happen without the efficiency, or, at least, the permission of Providence. *Promotion*, says one of the inspired writers, *cometh neither from the east, nor from the west, nor from the south; but God is the judge: He putteth down one, and setteth up another*. It pleased the great ruler of the universe, the sovereign disposer of all persons and all events, to promote you to the second place in the government of the American states. Honourable station! Has your conduct been ornamental to your high office; or has it been disgraceful? Have you not disgraced yourself; have you not disgraced your high office; have you not disgraced your country? What! the second person in the American government a duellist! What a shame! the friends of America in Europe, and in every other quarter of the world, blush on your account. However regardless of your own personal honour, you certainly ought to have paid more respect to your official character.

Has the criminal act, that has exposed you to universal censure, accomplished; or has it defeated your design? Here occurs a question of such an intricate nature, that the decision lies solely between the

omniscient and yourself. Let me ask you, What was your intention? Was it, as is usual in such affairs of honour, the vindication of your character; the establishment of your reputation? Or, was it of a more sanguinary nature? This, I confess, is a delicate question. In doubtful cases charity inclines to the favourable side. But you must allow me to tell you, that the current of public opinion runs high against you, and appearances are extremely unfavourable to you. If your intention went no farther than charity may induce some to suppose; never was a man more unhappy in the choice of means for accomplishing his end. Has your reputation been established; has your honour been enhanced? I need not tell you, the reverse is the truth. This you know. In that ever to be lamented, that fatal moment, in which Hamilton fell, your character, began to bleed. The wound it received, is mortal; no time, no means can heal it. The question recurs; Has your end been gained, or has your design been frustrated? I will here take the liberty to transcribe, for your perusal, part of a letter written by the learned bishop of C—— to the earl of Bellamont, on his duel with lord Townshend. In order to enable you to understand his words, it may be necessary to remind you, that the bishop who was the son and heir of an ancient and honourable house, had, in his youth, been a man of honour, that is, he had fought a duel; a duel that had well nigh put a period to his life, and had been attended with consequences the most fatal to his nearest and dearest relatives and connexions. Thus the learned bishop speaks, —“ We receive an affront, and we endanger our lives; we expose the long list of our friends to distress; we hazard all the glowing expectation of our tenderest ties, all our dearest prospects in this world, and all our greatest in the next; to, to do what? I blush, my lord, at my own question; to punish some act of incivility, that should excite our contempt,



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or some disrespect which is wholly below our indignation. The man, who is not ready to apologize for an offence he offers another, does not deserve to be considered a gentleman. Yet supposing the case otherwise, the offence to be deadly which induces us to take away a life; if it is of such magnitude as to require a bloody expiation, it should be to the laws: And if it is not, we surely rebel against the majesty of our own hearts, where we endeavour to wipe it away with blood. In whatever light we look upon duelling, my lord, I am persuaded you will concur with me in thinking, that it is founded no less in folly than in barbarity. Were we even the victors, what is our triumph? A triumph over humanity, a triumph over justice, a triumph over our families, our country, and our God! If our reason, therefore, is not alarmed at the various dangers attending this horrible custom, our pride should be roused at the charge of weakness to which it exposes our characters." Attend, sir, to what follows. "Few, who go into the field, have any wish to destroy the life of an adversary; yet all must unavoidably expose their own. Our universal study is to set a just value on this blessing; yet our universal practice is to treat it as an object of the slightest consideration. The life of an English," I may add of an American "gentleman, is the only thing in which he seems to have the least property. Make an attempt on his estate, and he seeks a judicial remedy; set fire to his house, and he seeks a judicial remedy also; but if you doubt his veracity, no law can give him redress; his life must be instantly hazarded to procure satisfaction; and the moment another becomes rude, he is obliged to be desperate. Thus situated he meets his adversary, as every feeling man must meet his adversary, with an infinitely greater share of apprehension for consequences than of a passion for revenge. Though he wants fortitude to do what he *wishes*, yet he musters

up courage to do what he *abhors*. It is better, my lord, that there should be no redress at all for insults, than to adopt a mode of redress, if redress it may be called, which accumulates the injuries of the party insulted. Many are the associations to improve the opera, to encourage race-horses, and to preserve the game. For the love of heaven, my lord, let there be one to preserve the human species; to save the hoary father from falling a victim to the phrenzy of his slaughtered son, to prevent the doating mother's agonizing shrieks, to snatch the tender wife from unutterable despair, and continue a parent to a helpless brood of innocents." To your serious reflections on the bishop's words, in connexion with your own conduct, I leave you.

Have you not offered a high insult to the wisest legislators of past and present times, and the most salutary laws, both of your own country and of others? Tell me of a wise legislator, ancient or modern, by whom the infamous practise of duelling is not condemned. Where is the civilized, not to say christianized, state, by which it is sanctioned? Did you, in the frantic moment, entirely forget the late law of the state of New York, which declares, that if any person belonging to that state, shall be concerned in fighting a duel, he shall forfeit all the rights of citizenship for twenty years? Is it not a wise law of the legislature in the territory of the Mississippi, which pronounces every duel a capital crime; and every duellist a criminal? Do you not, in your moments of cool reflection, cordially approve the conduct of a late European monarch, who prohibited all duels in his dominions; and who, when two high-spirited gentlemen applied to his majesty for licence to fight a duel, replied, that they might, if they chose, fight; but, at the same time, certified them, that the survivor, whoever he might be, should, without delay, be executed as a criminal. But I will go farther

back, and put you in mind of the famous edict of Pharamond, king of the Gauls; with which you cannot be, till now, unacquainted. I shall, however, transcribe the whole.

“ Pharamond, king of the Gauls, to all his loving subjects sendeth greeting.

“ Whereas it has come to our royal notice and observation, that, in contempt of all laws divine and human, it is of late become a custom among the nobility and gentry of this our kingdom, upon slight and trivial, as well as great and urgent provocations, to invite each other into the field, there, by their own hands, and of their own authority, to decide their controversies by combat; we have thought fit to take the said custom into our royal consideration, and find, upon inquiry into the usual causes, whereon such fatal decisions have arisen, that, by this wicked custom, maugre all the precepts of our holy religion, and the rules of right reason, the greatest act of the human mind, forgiveness of injuries, is become vile and shameful; that the rules of good society and virtuous conversation, are hereby inverted; that the loose, the vain, and the impudent, insult the careful, the discreet, and the modest; that all virtue is suppressed, and all vice supported, in the one act of being capable to dare the death. We have also further, with great sorrow of mind, observed, that this dreadful action, by long impunity, our royal attention being employed upon matters of more general concern, is become honourable, and the refusal to engage in it ignominious. In these our cares and inquiries we are yet further made to understand, that the persons of most eminent worth, and most hopeful abilities, accompanied with the strongest passion for true glory, are such as are most liable to be involved in the dangers arising from this licence. Now, taking the premises into our serious consideration, and well weighing that all such emergencies, wherein the mind is inca-

pable of commanding itself, and where the injury is too sudden or too exquisite to be borne, are particularly provided for by laws heretofore enacted; and that the qualities of less injuries, like those of ingratitude, are too nice and delicate to come under general rules; we do resolve to blot this fashion, or wantonness of anger, out of the minds of our subjects, by our royal resolutions declared in this edict as follows.

“ No person, who either sends or accepts a challenge, or the posterity of either, though no death ensues thereupon, shall be, after the publication of this our edict, capable of bearing office in these our dominions.

“ The person, who shall prove the sending or receiving of a challenge, shall receive to his own use and property, the whole personal estate of both parties; and their real estate shall be immediately vested in the next heir of the offenders in as ample a manner as if the said offenders were actually deceased.

“ In cases where the laws, which we have already granted to our subjects, admit of an appeal for blood; when the criminal is condemned, by the said appeal, he shall not only suffer death, but his whole estate, real, mixed, and personal, shall, from the hour of his death, be vested in the next heir of the person whose blood he spilt.

“ That it shall not hereafter be in our royal power, or that of our successors, to pardon the said offences, or restore the said offenders in their estates, honour, or blood for ever.

“ Given at our Court at Blois, the 8th February, 420, in the second year of our reign.”

What, sir, is your opinion of this edict? Is it not a salutary law? It has embalmed the memory of Pharamond; and many generations yet unborn will bless him for it. Re-peruse the edict; compare with it your own conduct. What a contrast! Wo to the nation, that has duellists for her legislators!

Has not the practice of duelling ever been held in abhorrence by the wise, the considerate, the devout part of mankind, in all ages, and in all countries? By whom is it patronized? It has had, it still has its advocates. But are they persons whom duty or interest would induce us to adopt, for models and patterns? Can one man of reflection be found, that ever engaged in a duel, who did not, in his wisest moments, condemn his own practice? What your unfortunate antagonist has left on record to this purpose, the world knows. Who can forbear to lament, that a person of such a sound judgment, and of such a clear apprehension, did not, regardless of the dominion of fashion, follow the dictates of his own mind; and, happily for his family and his country, avoid the danger to which he was exposed; and which eventually proved so fatal to him? That duelling is the object of the universal disapprobation and abhorrence of the virtuous part of mankind, can you deny?

Were your pious progenitor to start from his tomb, and retire to the tragical spot, and view the bloody scene, in all its circumstances and effects, what would his emotions be? Wisely does the sovereign disposer of all things conceal from the best of men, in the state of imperfection and mortality, the knowledge of future contingences. *Mercifully is the righteous taken away from the evil to come.* The report of the melancholy occurrence suggested to me a train of thought, which naturally recalled your pious forefather to my mind. Could I forbear to contrast the father and the son? How dissimilar their characters!

To say, in one word, all that has been, or can be said, You have, by one cruel deed, insulted the authority, incensed the justice, and defied the vengeance of Almighty God. Defied the vengeance of the Almighty? Yes. That law, which is stamped with his authority, every transgression of which he is determined to punish, you have, in the most daring manner, violated.

He has said, *Thou shalt not* commit murder. But have you not committed murder? Will you contend with omnipotence? Unequal, hazardous contest! Are you a match for the Almighty? No, he is a match; nay, he is infinitely more than a match for all his adversaries. An angry God is truly a formidable and dangerous enemy. He is a most valuable friend; but the most dangerous enemy. *He is*, as one of the sacred writers expresses it, *wise in heart, and mighty in strength; who hath hardened himself against him, and hath prospered?* The famous prodigal in the gospel confesses, *that he had sinned against heaven*—But you have sinned against both heaven and earth; God and man.

Is the deed you have perpetrated, of such a criminal nature; and attended with such aggravated circumstances? What must be the consequence? Is your sin, for ever unpardonable? Must you henceforward abandon yourself to final despair? Dismal, indeed, is your case, but not desperate. Do you ask in the words of the keeper of the prison in Philippi, *What must I do to be saved?* Important, interesting question to you, and to every individual of the human race! *All have sinned*, and all infinitely need the favour. Every nation, Jewish and Gentile, every individual has sinned. But guilt admits of various degrees. Every sin is a great evil; because it is *done against God*. But offences against God, as well as against man, may be greatly aggravated, or considerably alleviated, by the circumstances, with which they are attended. In the black roll, offenders are distinguished by the various comparative degrees of guilt, which they severally have contracted. One, in this sense, is a greater offender; another a less.—With a high hand, in a daring manner, have you sinned.

There is, however, one, and only one way, in which you may obtain the pardon of all your numerous of-

fences. There is one, and only one saviour. To this almighty, and ever-willing saviour, you, in common with others, have access. The apostle said to the alarmed keeper of the prison in Philippi, and I now say to you, *Believe in the Lord Jesus Christ, and thou shalt be saved.* No other method of salvation do I know. No other has the scripture revealed. In this way, thousands, myriads, millions, have been saved; and, in this way, heinous as your offences are, you may be saved.

But, in the event of a final rejection of this saviour, and of his salvation, I forewarn you in the words of inspiration, *there remaineth no more sacrifice for sins; but a certain fearful looking for of judgment and fiery indignation, which shall devour the adversaries.* Fiery indignation! Dreadful idea! But it is not more dreadful than just. *For the Lord Jesus shall be revealed from heaven with his mighty angels, in flaming fire, taking vengeance on them that know not God, and that obey not the gospel of our Lord Jesus Christ; who shall be punished with everlasting destruction from the presence of the Lord, and from the glory of his power.*

What entertainment my admonitions may receive from you, I know not. But whether you give them that cordial reception, to which their importance and design entitle them, or treat them with derision, must be much less material to me than to yourself. If you be wise, you will be an everlasting gainer; but, if you be not wise, you will be an eternal loser. Death, judgment, and a long, long eternity are before you. A blissful or a miserable immortality awaits you.

Infidelity, and scepticism, and a woful inattention to their eternal interests, are the bane of mankind. But though many live infidels, no man dies an infidel. That there is a just God, *devils know*, and wicked men shall know, *and tremble.* Truly, sir, *it is a fearful thing to fall into the hands of the living God!*

Is not religion the chief glory of human nature? Is it not religion that renders the man so much superior to the brute? Are there not instances, in which instinct in certain animals appears to excel reason in some men? But to religion none of the irrational animals can make any pretensions. Of a Deity, none of them seem to have the smallest idea. Shall any man, then, neglect that in which the chief glory of his nature consists? Shall any man be wanting in duty to himself and the dignity of his nature, so far, as to debase himself to a brute? Does not religion possess every excellence and advantage that can recommend an object to our attention and esteem? Is it said of a certain celebrated philosopher, all who knew him loved him? With infinitely greater propriety may it be affirmed of the religion of Jesus, all who know it love it; and if any do not love it, the reason is, they do not know it.

Important, indeed, is the discrimination between the religious and the irreligious. Among the former or the latter, each of us must, in the day of final retribution, be found. *We must all appear before the judgment seat of Christ.* The terrors of the day of final decision, what tongue can utter; what mind can conceive? Shall I tell you of inundations, earthquakes, and subterraneous explosions; mountains, cities and all their inhabitants buried in one common watery grave; foaming seas, ships dashed in pieces, roaring thunders, and streams of elementary fire? But what are all the phenomena of nature to the terrors and glories, with which the great judge will be attended in the day of decision? Methinks, I see the stern judge descending from heaven to earth. How awfully majestic the appearance! How numerous and how brilliant his attendants! From his terrible face the heaven and the earth fly away. Universal nature appears in one common blaze. The bowels of the sun seem to burst; the moon catches

the flame, and hastens to die. Planets and comets seem to burst from their orbits; spreading destruction through the boundless dimensions of space. Countless worlds dash one upon another. What a wreck of systems! What a crash of worlds! With what justness and propriety does a prophet exclaim—*Who can abide the day of his coming?* Behold the empyreal throne erected; the dread judge attended by myriads of myriads, millions of millions, of angelic and archangelic beings; the graves opening, and the multitudes who now sleep in the dust of the earth coming forth; worlds summoned, and innumerable millions collecting from all quarters. The sea and the dry land yield up their dead. Even hell itself refuses to conceal or detain its prisoners. Horrid forms!

Now, sir, every individual of the human family will know, either to his everlasting joy, or his endless sorrow, the reality and the advantages of religion, and the fatal effects of impiety. Among the countless thousands who are then to be assembled, not one infidel, not one sceptic, will be found. Who would not now wish to be religious? The most mercenary of mortals could not forbear to say—*Let me die the death of the righteous, and let my last end be like his.*

Is religion a low employ, unworthy of a great mind, patronized only by an illiterate rabble, or interested churchmen? Far from it. It is an employ rational and noble; worthy of men and the greatest of men; nay, of angels and archangels. Among its most cordial and zealous votaries, I could recount a long catalogue of men, who, by their accomplishments, natural and acquired, are ornaments to human nature, and will shine, with distinguished lustre, in the historic page, to latest times. Here we find the best scholars, the bravest soldiers, and the ablest statesmen. May you, sir, be a partaker of the spirit and the privileges of this religion! Then will duels be to you what

they are to all good men, an object of execration and abhorrence. Your future life, whether long or short, will then exhibit to the world your detestation of them. For the total and final suppression of such infamous practices, you will employ every mean, and use every effort, in your power. To the community, especially the family you have so essentially injured, you will make every possible reparation. You will adopt the humble resolution of the pious monarch—*I shall go softly all my years, in the bitterness of my soul.* Such, during the precarious remainder of life, may your temper and conduct ever be! May the all-wise disposer of events hasten the auspicious, peaceful period, in which duels and rencounters, war and bloodshed, shall be known no more in our world!

I am, Sir,

Your most humble servant,

PHILANTHROPOS.

New-York, September 22, 1804.

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